

A regular meeting of the Town Board of the Town of Sweden was held at the Town Hall, 18 State Street, Brockport, New York, on Wednesday, June 23, 2021.

Town Board Members present were Supervisor Kevin G. Johnson, Councilperson Randall Hoke, Councilperson Rhonda Humby, and Councilperson Gary Sullivan. Councilperson Patricia Hayles was absent. Also present were Finance Director Leisa Strabel, Superintendent of Highways Brian Ingraham, and Town Clerk Karen Sweeting.

Visitors present were Wayne Zyra, William Johnson, and James Cenci.

Supervisor Johnson called the meeting to order at 6:00 p.m. and asked everyone present to say the Pledge to the Flag and remain standing for a moment of silence as we remember our first responders and our fighting men and women around the world.

PRIVILEGE OF THE FLOOR:

No comments.

CORRESPONDENCE:

Received from the following:

- 1. Karen LoBracco – comments regarding the May 25, 2021 public hearing
- 2. Karla Merrifield – comments regarding the May 25, 2021 public hearing
- 3. David Marciano – comments regarding the May 25, 2021 public hearing

REPORTS OF DEPARTMENTS AND BOARD MEMBERS:

Supervisor Johnson waived reports of departments and board members – to be given at the July 27, 2021 meeting.

CONSENT AGENDA ITEMS:

Councilperson Hoke made a motion that was seconded by Councilperson Humby to approve **all** Consent Agenda items as listed below. Supervisor Johnson noted that Councilperson Hayles had indicated via email that she supported all the resolutions in front of the board this evening.

VOTE BY ROLL CALL:

Councilperson Hayles	<u>Absent</u>	
Councilperson Hoke	<u>Aye</u>	
Councilperson Humby	<u>Aye</u>	
Councilperson Sullivan	<u>Aye</u>	
Supervisor Johnson	<u>Aye</u>	ADOPTED

- Approval of the minutes of the regular meeting and four public hearings held on May 25, 2021
- RESOLUTION NO. 78 Appoint Assistant Summer Camp Director

WHEREAS, the recreation department will be running a day camp this summer of 2021; and

WHEREAS, the Recreation Director has requested that Recreation Assistant Amanda Kinney serve as Assistant Summer Camp Director.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby appoint Amanda Kinney as Assistant Summer Camp Director and that the rate of pay for hours worked in this title shall be \$13.50 per hour.

- RESOLUTION NO. 79 Amending Building Control Fees

WHEREAS, the Planning and Building Department has recommended adding permit fees for Home Occupations.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby adds Home Occupation fees to the Rules and Regulations for Building Control Fees as attached.

Sec. 2. That this resolution shall take effect immediately

- RESOLUTION NO. 80 Authorize Listing on NYS OGS Marketplace of One 2022 Chevrolet 3500 Truck

WHEREAS, the Highway Superintendent has requested the purchase of one 2022 Chevrolet Chevy 3500 truck to replace a 2011 Ford F-350 truck; and

WHEREAS, the 2022 Chevy 3500 Truck may be bid through the New York State Office of General Services Vehicle Marketplace (mini-bid) for Work Trucks.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden hereby authorizes the listing of a 2022 Chevy 3500 Work Truck on the New York State Office of General Services Vehicle Marketplace for Work Trucks.

Sec. 2. That the Town Board of the Town of Sweden reserves the right to reject any and all bids received.

Sec. 3. That this resolution shall take effect immediately.

- RESOLUTION NO. 81 Authorizing Purchase of Bobcat Compact Track Loader

WHEREAS, the Highway Superintendent has recommended the purchase of a 2021 T66 T4 compact track loader; and

WHEREAS, the 2021 T66 T4 Bobcat compact track loader is available through New York State Contract # PC 67141, Award PGB #22792; and

WHEREAS, the 2021 S595 T4 Bobcat compact track loader is available from Bobcat of Finger Lakes for \$57,196.87 and from Bobcat of Buffalo for \$57,403.56; and

WHEREAS, Bobcat of the Finger Lakes has offered a trade-in value for the 2020 S595 T4 Bobcat of \$30,000.00 and Bobcat of Buffalo has offered a trade-in value of \$29,500.00; and

WHEREAS, the net cost of the 2021 T66 T4 Bobcat compact track loader will be \$27,196.87 from Bobcat of Finger Lakes and \$27,903.56 from Bobcat of Buffalo.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden does hereby authorize the purchase of one (1) 2021 T66 T4 Bobcat compact track loader from New York State Contract #PC67141, Award PGB #22792 from Clark Equipment, Co. Bobcat of the Finger Lakes, 7216 Pittsford Palmyra Road, Fairport, NY 14450 for \$57,196.87.

Sec. 2. That the Town Board of the Town of Sweden accepts the trade-in value of the 2020 Bobcat Skid Steer Loader of \$30,000.00 from Clark Equipment Co, Bobcat of the Finger Lakes.

Sec. 3. That this resolution shall take effect immediately.

- RESOLUTION NO. 82 Authorizing Supervisor to sign Seymour Library Joint Operating Agreement and Real Property Lease

WHEREAS, the Town of Sweden, the Town of Clarkson, the Village of Brockport jointly own real property used for Seymour Library operations; and

WHEREAS, the Town of Sweden, the Town of Clarkson, the Village of Brockport and the Seymour Library signed a Memorandum of Understanding on January 19, 2021 setting the parameters for a Joint Operating Agreement and Real Property Lease; and

WHEREAS, the Attorneys for the Municipalities and Library prepared the Joint Operating Agreement and Real Property Lease in accordance with the Memorandum of Understanding; and

WHEREAS, the Joint Operating Agreement and Real Property Lease have been reviewed and amended by the Town Board of the Town of Sweden.

NOW THEREFORE BE IT RESOLVED:

Sec.1. The Town Board of the Town of Sweden does hereby approve the Seymour Library Joint Operating Agreement and Real Property Lease, as amended, and does authorize the Sweden Town Supervisor to execute same on behalf of the Sweden Town Board.

Sec.2. The foregoing adoption, acceptance and authorization is conditioned upon the passage of similar Resolutions by the Town of Clarkson, the Village of Brockport and the Seymour Library.

Sec.3. This Resolution shall take effect immediately.

- RESOLUTION NO. 83                      Appoint Seasonal Laborer – Cemetery Operations

WHEREAS, there is a need for a seasonal laborer for cemetery operations; and

WHEREAS, the Superintendent of Highways has recommended hiring Matthew Rennie; and

NOW, THEREFORE, BE IT RESOLVED:

- Sec. 1.            That the Town Board of the Town of Sweden does hereby appoint Matthew Rennie as a seasonal laborer for cemetery operations not to exceed 40 hours per week and not to exceed 112 hours in total each week with other seasonal cemetery laborers.
- Sec. 2.            That this appointment does not constitute an offer of permanent employment or any benefits that are normally attached to permanent appointments.
- Sec. 3.            That the rate of pay will be \$12.50 an hour.
- Sec. 4.            That the term of appointment will begin on or after July 6, 2021 and end on or before October 22, 2021.
- Sec. 5.            That this resolution shall take effect immediately.

EXECUTIVE SESSION:

Councilperson Sullivan made a motion that was seconded by Councilperson Humby to go into executive session at 6:04 p.m. subject to Public Officer’s Law Section 105(d) proposed acquisition, sale, or lease of real property; Public Officer’s Law Section 105(f) employment history of a particular person; and Public Officer’s Law Section 108(3) confidential consultation with the Town Attorney via teleconference. All voted in favor of the motion – four ayes.

Motion adopted.

No action taken.

Councilperson Hoke made a motion that was seconded by Councilperson Humby to leave executive session and return to the regular meeting at 7:04 p.m. All voted in favor of the motion – four ayes. Motion adopted.

NON-CONSENT AGENDA:

- Approval for Payment of Bills

All the Board members reviewed the invoice audit journal. Councilperson Humby made a motion that was seconded by Councilperson Sullivan authorizing payment of the bills in Abstract 6 dated June 24, 2021 in the amount of \$801,988.61.

General Fund: In the amount of \$52,805.67 as set forth in Abstract 6 dated June 24, 2021.

Highway Fund: In the amount of \$114,654.42 as set forth in Abstract 6 dated June 24, 2021.

Special Fund: In the amount of \$4,892.50 as set forth in Abstract 6 dated June 24, 2021.

Capital Fund: In the amount of \$629,636.02 as set forth in Abstract 6 dated June 24, 2021.

VOTE BY ROLL CALL AND RECORD:

Councilperson Hayles	<u>Absent</u>
Councilperson Hoke	<u>Aye</u>

Councilperson Humby	<u>Aye</u>
Councilperson Sullivan	<u>Aye</u>
Supervisor Johnson	<u>Aye</u>

Adopted

- RESOLUTION NO. 84 Granting Renewal of Excavation Permit to Iroquois Rock Products

WHEREAS, the Town Board of the Town of Sweden on March 28, 1984, duly enacted and adopted by resolution "Regulations for Issuance of Excavation Permit" (hereinafter referred to as the "Regulations") which regulations include procedures for the issuance of a renewal of the permit; and

WHEREAS, Iroquois Rock Products, Inc. has filed an application for renewal of its permit, originally granted June 24, 1997 for a term of three years, alleging in its application that there are no changes from the permit granted as aforesaid; and

WHEREAS, pursuant to the regulations the Town Board circulated a notice of the application to the Town of Sweden Planning Board, the Town Environmental Conservation Board , the Town Engineer and Monroe County Planning & Development; and

WHEREAS, the Town Board held a public hearing at the Town Hall, 18 State Street, Brockport, New York on May 25, 2021 at 6:45 p.m. to consider granting the renewal of the excavation permit, as requested, and at said time and place heard all persons interested in the subject thereof; and

WHEREAS, the Town Board after review of the application and all previous environmental submissions and proceedings by the applicant determined that the action will not have a significant environmental effect and under SEQR Section 617.5(c)26 is a Type II Action; and

WHEREAS, the Town Board now desires to grant a three-month renewal of the excavation permit to Iroquois Rock Products, Inc. while the corporation continues to address the concerns of the public raised at the May 25, 2021 public hearing.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the approval and granting of a three-month excavation permit renewal is sufficient to give the corporation time to address all concerns of the public raised at the May 25, 2021 public hearing, including but not limited to: cleanliness of the public roadway, overweight truck traffic on Swamp Road, adherence to traffic regulations and sufficiency of blasting notices.

Sec. 2. That Iroquois Rock Products, Inc. submit blasting and hydrologic survey reports to the Superintendent of Highways as required by Sweden Town Code Section 95-11(f).

Sec. 3. That the Town Board of the Town of Sweden hereby grants to Iroquois Rock Products, Inc. an Excavation Permit for a term of three (3) months from June 27, 2021 to September 29, 2021.

Sec. 4. That the excavation as described in the Application for which this excavation permit is granted shall be carried out in compliance with the Town of Sweden Regulations for Issuance of Excavation Permit.

Sec. 5. The Town Clerk shall cause copies of this Resolution to be posted on the Town Clerk's signboard and filed in the office of the Town Clerk.

Sec. 6. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Humby  
Seconded by Councilperson Hoke

Discussion: Supervisor Johnson stated that it was the general consensus of the board that there were some valid concerns brought forward by the residents who are in proximity to the quarry. There has been some measured improvement. The Board would like to shorten the time frame on the approval to monitor any issues.

VOTE BY ROLL CALL AND RECORD:

Councilperson Hayles	<u>Absent</u>
Councilperson Hoke	<u>Aye</u>
Councilperson Humby	<u>Aye</u>
Councilperson Sullivan	<u>Aye</u>
Supervisor Johnson	<u>Aye</u>

- RESOLUTION NO. 85                      Ordering Public Hearing on Renewal of Iroquois Rock Products Excavation Permit

WHEREAS, the Excavation Permit for Iroquois Rock Products quarry on Colby Street and Sweden Walker Road, in the Town of Sweden expires on September 29, 2021; and

WHEREAS, the Town Board of the Town of Sweden granted a three-month permit in order to allow Iroquois Rock the opportunity to address concerns of residents raised at the May 25, 2021 excavation permit hearing; and

WHEREAS, Iroquois Rock Products, Inc. desires to have the permit renewed for the remainder of the three-year period, to expire on June 27, 2024; and

WHEREAS, it is in the interest of the residents of the Town of Sweden to hold a public hearing so all persons desiring to be heard for or against such renewal shall be heard.

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. That the Town Board of the Town of Sweden shall hold a Public Hearing at the Town Hall, 18 State Street, Brockport, New York on Tuesday, August 24, 2021 at 6:30 p.m. to hear all persons desiring to be heard for or against the renewal of the Excavation Permit for Iroquois Rock Products located on Colby Street and Sweden Walker Road.

Sec. 2. That the Town Clerk is hereby authorized and directed to publish said Public Hearing in the official newspaper of the Town as required by law.

Sec. 3. That this resolution shall take effect immediately.

MOTION for adoption of this resolution by Councilperson Sullivan  
Seconded by Councilperson Hoke

Discussion:

VOTE BY ROLL CALL AND RECORD:

Councilperson Hayles	<u>Absent</u>
Councilperson Hoke	<u>Aye</u>
Councilperson Humby	<u>Aye</u>
Councilperson Sullivan	<u>Aye</u>
Supervisor Johnson	<u>Aye</u>

ADDITIONAL BUSINESS AND ANNOUNCEMENTS:

No additional business or announcements.

ADJOURNMENT:

As there was no further business to come before the Board, Councilperson Humby moved to adjourn the June 23, 2021 meeting of the Sweden Town Board at 7:08 p.m. Councilperson Hoke seconded the motion. All voted in favor of the motion – four ayes. Motion adopted.

Respectfully submitted,

Karen M. Sweeting  
Town Clerk